

FILED

12/06/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 16-0457

IN THE SUPREME COURT OF THE STATE OF MONTANA

DA 16-0457

FILED

DEC 06 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

STATE OF MONTANA,

Plaintiff and Appellee,

v.

ORDER

KELLY DEAN WORTHAN,

Defendant and Appellant.

On October 20, 2016, Appellant's opening brief was returned to him for failure to comply with the Montana Rules of Appellate Procedure. Appellant was granted ten days to resubmit a corrected brief. On November 1, 2016, the Court granted Appellant a 30-day extension of time to resubmit his brief. Nothing further has been filed, and the opening brief is now overdue.

THEREFORE,

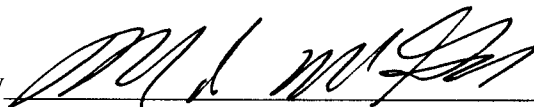
IT IS ORDERED that Appellant shall prepare, file and serve the opening brief on appeal within 30 days of the date of this Order. Failure to file the brief within that time will result in dismissal of this appeal with prejudice and without further notice.

The Clerk is directed to provide copies of this order to all counsel of record.

DATED this 6th day of December, 2016.

For the Court,

By



Chief Justice